

ARGUMENTS/REMARKS

In the present application, claims 1 through 19 are presently pending. Claims 20 through 30 have been canceled.

The Office Action required that the Applicants elect the invention directed to Group 1, Claims 1 through 19, drawn to a heat exchanger or the invention of Group 2, claims 20 through 30, drawn to a method of heat exchange. Applicants hereby elect with traverse the invention directed to the heat exchanger of claims 1 through 19. The Office must examine the claims on the merits if the search and examination can be made without serious burden to the Examiner. In the instant application such appears to be applicable; however, the election of Group I is hereby made to remain compliant.

The Office Action further required an election of Species. The Office Action set forth four different areas, specifically, 1) flow path, 2) heat exchanger, 3) actuator and 4) controlled substance and required that Applicants elect one of the species in each of the four different areas. Applicants note that 4) controlled substances is directed to the non-elected method of heat exchange. After review of independent claim 1, and the claims dependent therefrom Applicants do not feel that examination of the species would be burdensome to the Office; however, Applicants hereby elect the flow path of claim 5, the heat exchanger of claim 11 and the actuator of claim 13 to further prosecution. Additionally, claims 2, 3, 5, 7 through 9, 11, 13, 18 and 19 are elected. Should generic claim 1 be found allowable, Applicants would sincerely appreciate the rejoined of the non-elected species.

Reconsideration of these requirements and passage to allowance is
sincerely requested.

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Date

Respectfully submitted,



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